

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ANTHONY K. HORNE

V.

GEAN LEONARD

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§

CIVIL ACTION NO. G-06-686


ORDER OF DISMISSAL

On December 4, 2006, an Order for Answers to Interrogatories propounded by the United States Magistrate Judge was entered. On December 19, 2006, the Order was returned to the Court marked, "Return to Sender, No Longer at This Address." The Court has received no correspondence or address update from Plaintiff since November, 2006.

Parties bear the burden of advising the court of address changes. *See* Local Rule 2(F). The failure to do so, as in the instant case, can result in the dismissal of an action for want of prosecution. *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988). Plaintiff's failure to properly pursue this action prompts the Court to conclude that he lacks due diligence or no longer wishes to pursue his case.

Accordingly, under the inherent powers necessarily vested in a Court to manage its own affairs in order to achieve the orderly and expeditious disposition of cases and to avoid congestion in its calendar, this Court determines that dismissal for want of prosecution is appropriate. *See* Federal Rules of Civil Procedure 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962). It is hereby **ORDERED** that this action is **DISMISSED** without prejudice for want of prosecution.

DONE at Galveston, Texas, this the 12th day of January, 2007.



Samuel B. Kent
United States District Judge